

BILL ANALYSIS

S.B. 517
By: Harris
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

H.B. 448, 80th Legislature, Regular Session, amended Section 154.125 (Application of Guidelines to Net Resources), Family Code, to require the Title IV-D agency (agency) to make certain computations based on changes in the consumer price index (CPI) during the preceding six-year period to determine any needed adjustment in the \$7,500 maximum in the monthly net resources of an obligor subject to the application of the statutory child support guidelines. The agency is required to report any adjusted amount in the *Texas Register* before September 1st of the year in which the adjustment takes effect.

The phrase "...based on the percentage change during the preceding six-year period" does not have a starting or ending date.

The next scheduled adjustment is to be effective September 1, 2013; however, the Bureau of Labor Statistics does not release CPI data until two weeks after the end of a month. Given that the adjustment computation period ends on August 31, 2013, and the CPI data will not be available until mid-September, the September 1, 2013 date for publication of a proposed adjustment in the *Texas Register* is not feasible.

As proposed, S.B. 517 provides for a clearly defined period of 72 months preceding March 1 of the year of the adjustment for purposes of the required adjustment computation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 154.125(a-1), Family Code, as follows: (a-1) Requires the Title IV-D agency to compute the adjusted amount, to take effect beginning September 1 of the year of the adjustment, based on the percentage change in the consumer price index during the 72-month period preceding March 1 of the year of the adjustment, as rounded to the nearest \$50 increment, rather than during the preceding six-year period in the consumer price index.

SECTION 2. Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009.